

**CHAPTER 13 PLAN
UNITED STATES BANKRUPTCY COURT
SOUTHERN DISTRICT OF MISSISSIPPI**

Debtor: Richard David Froelicher III SSN: XXX-XX-XXXX CASE NO. _____
 Joint Debtor: Kimberly M Froelicher SSN: XXX-XX-XXXX Median Income: ☒ Above ☐ Below
 Address: 107 Huntington Hill Dr
Clinton, MS 39056

THIS PLAN DOES NOT ALLOW CLAIMS. Creditors must file a proof of claim to be paid under any plan that may be confirmed. The treatment of ALL secured and priority debts must be provided for in this plan.

PAYMENT AND LENGTH OF PLAN

The plan period shall be for a period of 60 months, not to be less than 36 months for below median income debtor(s), or less than 60 months for above median income debtor(s).

- (A) Debtor shall pay \$ 710.00 (☒ monthly, ☐ semi-monthly, ☐ weekly, or ☐ bi-weekly) to the chapter 13 trustee. Unless otherwise ordered by the Court, an Order directing payment shall be issued to Debtor's employer at the following address:

Debtor to self pay Trustee

- (B) Joint Debtor shall pay \$ _____ (☐ monthly, ☐ semi-monthly, ☐ weekly, or ☐ bi-weekly) to the chapter 13 trustee. Unless otherwise ordered by the Court, an Order directing payment shall be issued to Debtor's employer at the following address:

PRIORITY CREDITORS.

Filed claims which are not disallowed are to be paid in full or as ordered by the Court as follows:

Internal Revenue Service:	\$ <u>0.00</u>	at \$ <u>0.00</u>	/month
Mississippi Dept. of Revenue:	\$ <u>2,147.00</u>	at \$ <u>35.78</u>	/month
Other / _____:	\$ <u>0.00</u>	at \$ <u>0.00</u>	/month

DOMESTIC SUPPORT OBLIGATION. DUE TO:

Nicole Froelicher
724 Ann St #D-1
Brookhaven, MS 39601

POST PETITION OBLIGATION: In the amount of \$500.00 per month beginning current.
 To be paid ☒ direct, ☐ through payroll deduction, or ☐ through the plan.

PRE-PETITION ARREARAGE: In the total amount of \$ \$0.00 through current which shall be paid in the amount of \$ NA per month beginning NA.
 To be paid ☐ Direct, ☐ through payroll deduction, or ☐ through the plan.

HOME MORTGAGES. § 524(i) Application of Payments. All claims secured by real property which are to be paid through the plan shall be scheduled below. Absent an objection by a party in interest, the plan will be amended consistent with the proof of claim filed herein, subject to the start date for the continuing monthly mortgage payment proposed herein. All holders and/or servicers of claims secured by liens on real property recognize that this Plan provides for the curing of default on its claim and maintenance of payments while the case is pending, and shall accept and apply all payments in accordance with the terms of the loan documents, the Bankruptcy Code, and the terms of the Plan, whether such payments are immediately applied to the loan or placed into some type of suspense account. Upon completions of the Plan in full, the pre-petition arrearages shall be deemed contractually cured. Holders and/or servicers of such secured claims shall notify the Trustee, the debtor, and the attorney for the debtor of any changes in the interest rate for an adjustable rate mortgage and the effective date of the adjustment, and shall notify the Trustee, the debtor, and the attorney for the debtor of any change in the taxes and insurance that would either increase or reduce the escrow portion of the monthly mortgage payment, and to otherwise comply with 11 U.S.C. § 524(i).

Mtg pmts to	<u>Trustmark</u>	Beginning	<u>Apr-15</u>	@ \$	<u>963.00</u>	<input type="checkbox"/> Plan <input checked="" type="checkbox"/> Direct
Mtg pmts to	_____	Beginning	_____	@ \$	_____	<input type="checkbox"/> Plan <input type="checkbox"/> Direct
Mtg pmts to	<u>Trustmark</u>	Through	<u>April</u>	\$	<u>0.00</u>	@ \$ <u>0.00</u> /mo
Mtg pmts to	_____	<u>0</u> Through	_____	\$	_____	@ \$ _____ /mo

MORTGAGE CLAIMS TO BE PAID IN FULL OVER PLAN TERM:

Creditor: NONE Approx. amt.due: _____ Int. Rate: _____
 Property Address: _____ Are related taxes and/or insurance escrowed? ☐ Yes ☐ No

NON-MORTGAGE SECURED CLAIMS. Creditors that have filed claims that are not disallowed are to retain lien(s) pursuant to 11 U.S.C. § 1325(a)(5)(B)(i)(I) until the payment of the debt determined as under non-bankruptcy law or discharge. Such creditors shall be paid as secured claimants the sum set out below or pursuant to other order of the Court. The portion of the claim not paid as secured shall be treated as a general unsecured claim.

CREDITOR'S NAME	COLLATERAL	910* CLM	APPROX. AMT. OWED	VALUE	INT. RATE	PAY VALUE OR AMT. OWED
Capital One	2010 Tahoe		\$18,956.00	\$15,682.50	5%	Value
CarMax	2008 Mustang		\$13,735.00	\$9,990.00	5%	Value
Sheffield	2014 Polaris		\$6,000.00	\$3,900.00	5%	Value

* The column for "910 CLM" applies to both motor vehicles and "any other thing of value" as used in the "hanging paragraph" of 11 U.S.C. § 1325.

SPECIAL CLAIMANTS including, but not limited to, co-signed debts, abandonment of collateral, direct payments by Debtor, etc. For all abandoned collateral Debtor will pay \$0.00 on the secured portion of the debt. Where the proposal is for payment, creditor must file a proof of claim to receive proposed payment.

CREDITOR'S NAME	COLLATERAL	APPROX. AMT. OWED	PROPOSED TREATMENT
Yamaha	2008 Vstar	\$3,300.00	Surrender

STUDENT LOANS which are not subject to discharge pursuant to 11 U.S.C. §§ 523(a)(8) and 1328(c) are as follows (such debts shall not be included in the general unsecured total). Student loans will not be discharged.

CREDITOR'S NAME	APPROX. AMT. OWED	CONTRACTUAL MO. PMT.	PROPOSED TREATMENT
ACS	\$20,000.00	Student Loans will not be discharged.	Defer; Pay \$0 thru Plan
Nelnet	\$20,000.00	Student Loans will not be discharged.	Defer; Pay \$0 thru Plan
Nelnet	\$3,300.00	Student Loans will not be discharged.	Defer; Pay \$0 thru Plan

SPECIAL PROVISIONS which may apply to any or all payments to be paid through the plan, including, but not limited to, adequate protection payments:
 NONE

GENERAL UNSECURED CLAIMS total approximately \$ 54,112.50. Such claims must be **timely filed & not disallowed** to receive payment as follows: IN FULL (100%) OR 0 %(percent) MINIMUM, OR a total distribution of \$ 0.00, with the Trustee to determine the percentage distribution. **Those general unsecured claims not timely filed shall be paid nothing, absent order of the Court.**

Total attorney fee charged: \$3,200.00
 Attorney fee previously paid: \$500.00
 Attorney fee to be paid in plan: \$2,700.00

The payment of administrative costs and aforementioned attorney fees are to be paid pursuant to Court order and/or local rules.

Attorney for Debtor: Frank H. Coxwell, 500 N State St, Jackson, MS 39201
Telephone No. (601) 948-4450 **Facsimile No.** (601) 608-7858 **Email:** frank@coxwellattorneys.com

DATED: 4/28/2015 ATTORNEY'S SIGNATURE /S/ Frank H Coxwell, III
 DEBTOR'S SIGNATURE /S/Richard David Froelicher III
 JOINT DEBTOR'S SIGNATURE /S/Kimberly M Froelicher